

would be September 6, 2005. This enlargement of time is sought because additional time is needed for counsel for Defendant to confer with agency counsel and obtain critical information about the circumstances of this case. Plaintiff, *pro se*, is seeking damages and injunctive relief for what appears to be some sort of tort claim. Counsel for Defendant has been in contact with agency counsel and anticipates filing a dispositive motion in this case. However, due to counsel for Defendant's heavy caseload, and due to difficulty coordinating both counsels' schedules out of the office, counsel for Defendant now requests this additional time to prepare Defendant's response.

This extension is sought in good faith and will not unfairly prejudice any party. Allowing Defendant some additional time to formulate its response will aid both the parties and the Court in the development and resolution of this case.

WHEREFORE, based on the foregoing, Defendant respectfully requests that the time for answering or otherwise responding to the complaint be extended to and including October 6, 2005.

Dated: September 2, 2005.

Respectfully submitted,

KENNETH L. WAINSTEIN, D.C. BAR # 451058
United States Attorney

/s/

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CERTIFICATE OF SERVICE

I certify that the foregoing **Motion For Enlargement of Time** was served upon plaintiff pursuant to the U.S. mail, addressed to:

**John Thomas Kerbey
803 College Street
Cedar Falls, Iowa 50613**

on this 2nd day of September, 2005.

/s/

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